



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Baker et al. Docket No: 39780-2830P1C47  
Serial No: 10/015,671 Group Art Unit: 1647  
Filed: December 11, 2001 Examiner: Rachel B. Kapust  
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC  
ACIDS ENCODING THE SAME**

Commissioner for Patents  
Washington, D.C. 20231

**DECLARATION OF WILLIAM WOOD, Ph.D. UNDER 37 CFR 1.131**

I, William Wood, Ph.D. do hereby declare and say as follows:

1. I am Director and Staff Scientist at the Department of Bioinformatics, of Genentech, Inc., South San Francisco, CA 94080.
2. I am one of the inventors of the above-identified application.
3. I have read and understood the claims pending in this application, and are aware that the claims have been rejected as anticipated by U.S. Patent Publication No. 2003/0096951 (Jacobs *et al.*, publication date May 22, 2003 and effective filing date August 14, 1998).
4. I, along with other inventors of this application, conceived and reduced to practice the polypeptide designated as PRO1244 (SEQ ID NO:130) claimed in the above-identified application in the United States prior to August 14, 1998.
5. At the time the PRO1244 polypeptide was cloned and sequenced I was responsible for overseeing the cloning of cDNAs which encoded novel polypeptides, including the cDNA that encoded PRO1244 polypeptide (SEQ ID NO:130) claimed in the above-identified application.
6. A cDNA clone, referred to as DNA64883-1526 in the above-identified application, was identified as encoding the PRO1244 polypeptide.
7. The full length of the cDNA clone is shown in Figure 73 of the above-identified application. The full-length cDNA sequence has 2213 nucleotide residues. The full

length of the PRO1244 peptide encoded by DNA64883-1526 is shown in Figure 74 of the above-identified application. The full-length PRO1244 polypeptide has 335 amino acid residues.

8. Copies of the pages from the GSeqEdit database which report the cloning and sequencing data for the PRO1244 polypeptide sequence and its encoding nucleic acid sequence are attached to this declaration (with the dates redacted) as Exhibit A.
9. The GSeqEdit report shows the full-length nucleic acid sequence for DNA-64883-1526 (identified as "DNA-64883") and the full-length PRO1244 polypeptide encoded by DNA 64883. Both the DNA-64883 and the PRO1244 polypeptide sequences were obtained prior to August 14, 1998.
10. The DNA-64883 sequence shown in the GSeqEdit report is identical to that of SEQ ID NO: 129 disclosed in the above-identified application.
11. The beginning of the cDNA sequence corresponding to SEQ ID NO: 129 in the above-identified application is shown on page 1 of the GSeqEdit database report and the location of the first nucleotide is marked with "^insert starts here" and an arrow. The location of the last nucleotide corresponding to SEQ ID NO: 129 is shown on page 11 and is marked with an arrow.
12. The amino acid sequence shown in the GSeqEdit report is identical to that of SEQ ID NO: 130 disclosed in the above-identified application.
13. The first 26 amino acid residues of the PRO1244 polypeptide (SEQ ID NO:130) encoded by the cDNA (DNA-64883) are also shown on page 1 of the GSeqEdit report and the remaining 309 residues appear on pages 2-6 of the report.
14. Exhibit A clearly shows that both the full-length DNA-64883 sequence and the full-length PRO1244 polypeptide sequence disclosed in the above-identified application were obtained prior to August 14, 1998.
15. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and

the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

William S. Wood  
William Wood

6/1/04  
Date

SV 2037583 v1  
6/9/04 1:21 PM (39780.2830)



THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC  
ACIDS ENCODING THE SAME**

Commissioner for Patents  
Washington, D.C. 20231

**DECLARATION OF AUDREY GODDARD, Ph.D. UNDER 37 CFR 1.131**


I, Audrey Goddard, Ph.D. do hereby declare and say as follows:

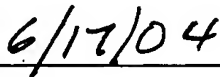
1. I am Senior Clinical Scientist at the Diagnostics, Development Sciences Department of Genentech, Inc., South San Francisco, CA 94080.
2. I am one of the inventors of the above-identified application.
3. I have read and understood the claims pending in this application, and are aware that the claims have been rejected as anticipated by U.S. Patent Publication No. 2003/0096951 (Jacobs *et al.*, publication date May 22, 2003 and effective filing date August 14, 1998).
4. I, along with other inventors of this application, conceived and reduced to practice the polypeptide designated as PRO1244 (SEQ ID NO:130) claimed in the above-identified application in the United States prior to August 14, 1998.
5. At the time the PRO1244 polypeptide was cloned and sequenced I was responsible for overseeing the sequencing of novel polypeptides, including the PRO1244 polypeptide (SEQ ID NO:130) claimed in the above-identified application.
6. A cDNA clone, referred to as DNA64883-1526 in the above-identified application, was identified as encoding the PRO1244 polypeptide.
7. The full length of the cDNA clone is shown in Figure 73 of the above-identified application. The full-length cDNA sequence has 2213 nucleotide residues. The full length of the PRO1244 peptide encoded by DNA64883-1526 is shown in Figure 74 of

the above-identified application. The full-length PRO1244 polypeptide has 335 amino acid residues.

8. Copies of the pages from the GSeqEdit database which report the cloning and sequencing data for the PRO1244 polypeptide sequence and its encoding nucleic acid sequence are attached to this declaration (with the dates redacted) as Exhibit A.
9. The GSeqEdit report shows the full-length nucleic acid sequence for DNA-64883-1526 (identified as "DNA-64883") and the full-length PRO1244 polypeptide encoded by DNA 64883. Both the DNA-64883 and the PRO1244 polypeptide sequences were obtained prior to August 14, 1998.
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14. Exhibit A clearly shows that both the full-length DNA-64883 sequence and the full-length PRO1244 polypeptide sequence disclosed in the above-identified application were obtained prior to August 14, 1998.
15. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001

of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

  
\_\_\_\_\_  
Audrey Goddard

  
\_\_\_\_\_  
Date

SV 2037583 v1  
6/15/04 3:03 PM (39780.2830)



**Exhibit A**  
**to Declarations of Audrey Goddard and William Wood under 37 CFR 1.131**  
**GSeqEdit Database Report**





mnII	alwI	bsmAI	bsmAI
alwNI[dcn-]	pvuII	mspAII/nspBII	bsmAI
alw26I/bsmAI	hpy188I	bsaXI	hpy188I
101 CAGCCTCTGC CCAAAGAAAG AAGGAGATGG TGTATCTGA AAAGGTTAGT CAGCTGATGG AATGGACTAA CAAAAGACCT GTAATAAGAA TGAATGGAGA			
GTCGAGACG GGTTCCTTC TTCTCTCTACC ACAATAGACT TTTCCAATCA GTCGACTACC TTACCTGATT GTTTCTCTGGA CATTATTCTT ACTTACCTCT			
27 A S A Q R K K E M V L S E K V S Q L M E W T N K R P V I R M N G D			
	hpy99I	hpy509I	hpyCH4V
201 CAAGTTCGT CGCCTTGTA AAGCCCCACC GAGAAATTAC TCCGTTATCG TCATGTTTAC TGCTCTCCAA CTGCATAGAC AGTGTGTCGT TTGCAAGCAA			
GTTC AAGGCA GCGGAACACT TTCGGGGTGG CTCCTTTAATG AGGCAATAGC AGTACAAGTG ACGAGAGGTT GACGTATCTG TCACACAGCA AACGTTTCGTT			
60 K F R R L V K A P P R N Y S V I V M F T A L Q L H R Q C V V C K Q			

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    mvaI
      ecoRII[dcm-]
        dsaV[dcm-]
          bstNI
            bssKI[dcm-]
              apyI[dcm+]
                sau3AI
                  mboI/ndeII[dam-]
                    dpnII[dam-]
                      dpnI[dam+]
                        alwI[dam-]
                          scrFI[dcm-]
                            bstYI/xhoII
                              pspGI
                                alwNI[dcm-]
                                  mvaI
                                    alw26I/bsmAI
                                      tsp509I[M.ecoRI-]
                                        ecoRI pflMI[dcm-]
                                          apoI bslI[dcm-]
                                            mboII hpy188III
                                              301 GCTGATGAAG AATCCAGAT CCTGGCAAAC TCCTGGCGAT ACTCCAGTGC ATTCACCAAC AGGATATTTT TTGCCATGGT GAAGGCTCTG
                                                CGACTACTTC TTAAGGTCTA GGACCGTTTG AGGACCGCTA TGAGGTCACG TAAGTGTTG TCCTATAAAA AACGGTACCA CCTAAACTA CTTCCGAGAC
                                                  93 A D E E F Q I L A N S W R Y S S A F T N R I F F A M V D F D E G S D

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apoI
sfanI      hpy188I      nlaIII      aluI
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TACATAAAGTCTACGATTGTACTTAAGTCGAGGTGAAA GTAGTTGAAA GGACGTTTTCCTTTGGGTTTGCCCCACTATGTATACTCAATGTCCACGC
127 V F Q M L N M N S A P T F I N F P A K G K P K R G D T Y E L Q V R

ddeI[M.aluI-]
bspCNI      mspI      sau3AI
cellI/espI      hpaII      mboI/ndeII[dam-]
blpI/bpul102I      scrFI[M.hpaII-]
aluI      nciI      dpnII[dam-]
pvuII      dsav      dpnI[dam+]
mspAlI/nspBII      bssKI      alwI[dam-]      sspI
401 GGGTTTTCAGCTGAGCAGATTGCGCGGTGATCGCGGACAGAACTGATGTCATATTAGAGTGGTCCATGCTGGTCCCTTATGTTG
CCCCAAAAGT CGACTCGTCTAACGGGCCACCTAGCGGCTGTCTTGACTACAGTTATAATCTGGGGTTTAA TACGACCAGG GGAATACAAC
160 G F S A E Q I A R W I A D R T D V N I R V I R P P N Y A G P L M L

tsp509I      avaII      bslI
bsmFI
sau96I
nlaIV

taqI      aluI
sfuI      tseI
bstBI      fnu4HI/bsoFI
bsiCI      bsp509I      tru9I      bstF5I      bsvI
baeI      mboII      mboII      apoI      mseI      bsrI      mwoI      hpyCH4V
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CCTAACGAA ACCGACAATA ACCACCTGAA CACATAGAAGCTTCTTCATTATACCTTAAA GAGAAATTATTTTGACCTAC CCGAAAACGT CGAAACACAA
193 G L L L A V I G G L V Y L R R S N M E F L F N K T G W A F A A L C F

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bsmFI
sau96I
nlaIV
avaII
tru9I ppuMI
aluI hpy188I mseI eco109I/draII
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TACCGATGGG TATGTCGAAA GACTACTCAA TTTTCCAGG GTCTCTATAT ATCTGTGACC TCATGACCTT TAACTTTTGG CTTTTCAGC ACACAACTT
327 G Y P Y S F L M S O

bsmI
mboII hpyCH4V
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tru9I
mseI tru9I
ahaIII/draI mboII mboII mboII
tru9I mboII mboII mboII
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mnlI
ddeI
bspcNI
mnlI hpy188I
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tru9I
mseI
hpaI
hincII/hindII hpy188I
psiI tsp509I
1301 ATTATAAAAA TTGTAAAACT ACTACTTTGT TTTAGTTAGA ACAAGCTCA AACTACTTT AGTTAACTTG GTCATCTGAT TTTATATTGC CTTATCCAAA
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apoI
alul
mslI
fokI
mboII
dcl[M.aluI-]
bstF5I

tail
hgiAI/aspHI
bsp1286
bsiHKA I rmaI dcl
hpy188I maeII/hpyCH4IV
eco57I aflIII maeI bspC
mboII bmyI btrI bfaI mnlI

bstZ17I
bst1107I
accI
sfanI
tsp509I
nlaIII bbsI
bpuAI
mboII
hpy188I
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mlyI
hinfi
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bpmI/gsuI[dcn-]
hinPI ddeI
hhaI/cfoI bspCNI
bst4CI/hpyCH4III mnlI hpyCH4V
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tsp509I
psiI smlI hpaI hincII/hindII xmnI asp700 hpy188I ddeI msel bstEII
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GTCCTAATAT TAAAGACGAA CTCATACCAC AATTGATGGA ACATAAATCT TTCTAAGTC TAAGTAAGT AGAGGAATCA AAAGAAAATT CCACTGGGTA
trp45I
hphI
tru9I maeIII
tru9I maeIII
msei
hpaI hincII/hindII xmnI asp700 hpy188I ddeI msel bstEII
1701 CAGGATTATA ATTTCTGCTT GAGTATGGTG TTAACCTACCT TGTATTAGA AAGATTTCAG ATTCAATTCCA TCCTCCTTAGT TTTCTTTTAA GGTGACCCAT
GTCCTAATAT TAAAGACGAA CTCATACCAC AATTGATGGA ACATAAATCT TTCTAAGTC TAAGTAAGT AGAGGAATCA AAAGAAAATT CCACTGGGTA
dai[M.aluI-] maeIII haeIII/palI
alul tspRI nlaIII
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dsav[dcM-] maeIII
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    bssKI[dcM-] tspRI
        pleI bslI[dcM-] hhaI/cfoI
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        hinfi apyI[dcM+] btsI
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        bspCNI
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        ddeI
        bspCNI
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        TTCTCTTTT ATCGGAGTCA ATCTTTTCCT GAGGGACCGG TCCGGCGTCAC TGAATGCGGA CATTAGAGTC GTGAAACCCT CCGGTTCCGT CCGTCTAGTG
        bssS
        hpy18
        sau3AI
        mboI/nd
        styI cac8I
        haeIII/palI
        dpnII[d
        dpnI[da
        mnli bsaJI
        bspCNI
        ddeI
        bspCNI
        mlyI bsaJI apyI[dcM+]
        hinfi apyI[dcM+] btsI
        TAGGCTCAGT TAGAAAAGGA CTCCTGGCC AGCGCAGTG ACTTACGCCT GTAATCTCAG CACTTTGGGA GGCCAAGGCA GGCAGATCAC
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mvaI
ecorII[dcn-]
dsaV[dcn-]
bstNI
bsmAI bssKI[dcn-]
    taqI foki cfrI nlaIII bsmAI
        hpy188III bsal bstF5I haeIII/palI esp3I
            mnlI hpy188III apyI[dcn+] hphI bsmBI
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                    CTCCAGTCCT CAAGCTCTGG TAGGACCGGT TGTACCACTT TGGGGCAGAG ATGATTTTTA TATTTTAAAT CGACCCACAC CACCGTCCTC GGACATTAGG

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ecorII[dcn-]
dsaV[dcn-]
bstNI
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        sau3AI btsI
            mboI/ndeII[dcn-] bssKI[dcn-]
                dpnII[dcn+] hpyCH4V apyI[dcn+]
                    aluI mnlI bssSI bspCNI mnlI tspRI dpnI[dcn+] bsgI bpmI/gsuI[dcn-]
                        2101 CAGCTACACA GGAGGCTGAG GCACGAGAAT CACTTGAAT CAGGAGATGG AGGTTTCAGT GAGCCGAGAT CAGCCCACTG CACTCCAGCC TGGCAACAGA
                            GTCGATGTGT CCTCCGACTC CGTGTCTCTTA GTGAACITGA GTCTCTTACC TCCAAAGTCA CTCGGCTCTA GTGCGGTGAC GTGAGGTGCG ACCGTTGTCT

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